

Pesticide Drift Minimization Meeting Summary

February 1, 2001

Meeting Participants:

Department of Pesticide Regulation:

Paul Gosselin, Acting Chief Deputy Director
Danny Merkley, County Liaison

Pesticide Enforcement Branch

Roy Rutz, Acting Chief
Jim Shattuck, Program Supervisor II
Nancy Grussing, Supervising Pesticide Use Specialist
George Brady, Supervising Pesticide Use Specialist
Roy Hirose, Senior Pesticide Use Specialist
Mary Ann Coleman, Pesticide Use Specialist

Environmental Monitoring Branch

Terri Barry, Senior Environmental Research Scientist

Pesticide Registration Branch

Ralph Shields, Supervising Pesticide Use Specialist

Office of Policy Coordination and Continuous Improvement

Linda Irokawa-Otani, Staff Services Manager
Fred Bundock, Program Specialist

County Agricultural Commissioners:

Richard Price, Butte County
Dennis Bray, Kings County
Mark Lockhart, Lake County
Robert Rolan, Madera County
Mark Tognazzini, San Benito County
Kathleen Thuner, San Diego County
Scott Paulsen, Yolo County

External Stakeholder Organizations:

Richard Ames, California Office of Environmental Health Hazard Assessment
Karen Heisler, U.S. Environmental Protection Agency, Region 9
Terry Cage, California Agricultural Aircraft Association
Clarence Williams, California Agricultural Aircraft Association
Ralph Wilkerson, California Agricultural Aircraft Association
Kim Crum, California Agricultural Production Consultants Association
Ronald Cisney, California Pest Control Operators
Barbara Todd, California Department of Food and Agriculture

Tess Dunham, California Farm Bureau Federation

Stakeholder Organizations (Continued)

Kati Buehler, California Rice Commission
Anne Katten, California Rural Legal Assistance Foundation
Judy Letterman, Pesticide Applicators Professional Association
Craig Compton, AVAG, Inc
Russ Stocker, Bob's Flying Service
Ray Pojanowski, San Joaquin Helicopter
John Jaeger, Consulting
John Heier, Wilbur Ellis Company
Lee Hazeltine

Opening Remarks B Paul Gosselin, Acting Chief Deputy Director

Paul Gosselin explained that the purpose of the meeting was to introduce DPR's Pesticide Drift Initiative and briefly discuss the proposed activities which are designed to involve our stakeholders. Some of the reasons pesticide drift has become more of a problem include the interface between the agriculture and urban environment, changes in cropping patterns, and increasingly difficult conditions when applying pesticide materials. Paul provided a brief background of DPR's drift minimization goals and explained our *Pesticide Drift Response Policy*, stating that the regulated community, and state and county regulators should all have a clear understanding of this policy.

Pesticide Drift Related Issues

Currently the pesticide drift issues of priority for DPR include:

- Clear and consistent regulatory standards and policies including a regulatory Aclean-up@ of current drift control regulations. (A more substantive revision of the drift regulations may follow this initial Aclean-up@ pending a thorough review of all proposed drift minimization measures.)
- Better understanding of spray drift findings by the Spray Drift Task Force (SDTF), and the U.S. Environmental Protection Agency's (U.S. EPA's) position on the SDTF's findings.
- Stewardship programs and initiatives.

Work Group Deliverables

DPR's objective for establishing this work group is to obtain input concerning the impacts of pesticide drift and the measures proposed to minimize such drift. The projected deliverables for the work group include:

- The development of drift minimizing measures and regulatory changes; and
- Establish a forum for general discussion of pesticide drift related issues.

The completion of these deliverables is projected for Fall 2001. Two or three meetings may be scheduled during this period; communications will be provided by e-mail, telephone, or mail.

Review of Initial Drift Minimization Activities

- Reviewed the drift regulations at the State level and tried to consolidate and make more standard.
- Initiated a Co-Agency Drift Work Group made up of State and county representatives.
- Revised DPR's *Pesticide Drift Response Policy* to clarify the policy and provide uniformity.

Overview of the Pesticide Drift Response Policy - Roy Rutz

DPR's *Pesticide Drift Response Policy* requires county agricultural commissioners to promptly investigate incidents involving pesticide drift when they become aware of such incidents including complaints that are anonymous. Each investigation must be completed regardless if the complaint is withdrawn or the complainant receives compensation for any alleged damages.

To provide clarity to the *Pesticide Drift Response Policy* DPR defines drift as, *the pesticide that moves through the air and is not deposited on the target area at the time of application*. Drift does NOT include the movement of pesticide off the target area after the application, such as by translocation, volatilization, evaporation, or the movement of pesticide dusts or pesticide residues on soil particles that are windblown after application.

Food and Agricultural Code Section 12972

This law requires persons to use pesticides in a manner to prevent substantial drift to nontarget areas. When a drift incident occurs, the State or county must show that the applicator failed to apply the pesticide in a manner to prevent substantial drift or to use due care in making the pesticide application.

Title 3, California Code of Regulations section 6614

This regulation places responsibility on the applicator prior to making a pesticide application to evaluate the surrounding properties and other conditions and determine the likelihood of harm or damage in order to decide whether the application should be made.

U.S. EPA's Goals & Pesticide Product Labeling - Karen Heisler

Karen Heisler provided a brief overview of U.S. EPA's goals and explained why the National Coalition on Drift Minimization (NCODM), SDTF, U.S. EPA, the Association of American Pesticide Control Officials, and other applicator organizations have been working toward pesticide drift minimization since 1995. The SDTF has submitted to U.S. EPA for review, a substantial amount of spray drift data acquired through numerous studies. U.S. EPA is in the process of reviewing this data.

U.S. EPA is preparing a Pesticide Registration Notice (PR-Notice) to explain the labeling requirements regarding drift and provide a more uniform standard for pesticide labels. SDTF and NCODM are participating in the development of the PR Notice.

Agenda for Next Meeting

- Discussion of Proposed Drift Minimization Requirements
- Spray Drift Task Force
- National Coalition for Drift Minimization
- Programs and Activities Outside of State and Federal Framework
- Other Issues

Meeting Handouts:

- Pesticide Drift Minimization Meeting Information
- Pesticide Drift Overview
- Pesticide Drift Incident Response Policy
- Update from The Bureau of National Affairs
- U.S. Environmental Protection Agency – “Spray Drift of Pesticides” (December 1999)

The next meeting will be held Monday, April 9, 2001, 9:00 a.m., Joe Serna Jr. Cal/EPA Headquarters Building, 1001 I Street, Training Room 1, East and West (First floor), Sacramento.